



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

RECENT CASES.

CONTRACTS—AGAINST PUBLIC POLICY—BRADY V. YOST, 55 Pac. 542 (Idaho).—Plaintiff and defendant entered into a contract whereby plaintiff, among other things, agreed to obtain for the defendant the contract to print certain legal notices for the United States. These legal notices were not required to be published by the lowest bidder, and the price to be paid for them was fixed by the government. The official in charge had a right to publish them in any paper of general circulation in a given territory. Plaintiff used no improper means to obtain the contract, and defendant published a paper of general circulation within the required territory. *Held*, that the contract was not void as against public policy.

CORPORATIONS—LIABILITY FOR CONTEMPT—PUNISHMENT—NEWSPAPER ARTICLE—PROCEDURE—TELEGRAM NEWSPAPER CO. V. COM., ETC., 52 N. E. (Mass.) 445.—A newspaper, owned by a corporation, published an article during a trial of a petition for the assessment of damages against a city for the taking of petitioner's land, to the effect that the city had offered petitioner \$80 for the land at the time of taking, but he demanded \$250. *Held*, that as this fact, if true, was not admissible in evidence in the case, the article was calculated to prejudice the jury and prevent a fair trial, and was, therefore, a contempt of court.

CRIMINAL LAW—CAPITAL PUNISHMENT—QUALIFICATION OF VERDICT.—WINSTON V. U. S., 19 S. C. 212.—Revised Statutes, Section 5339, declares that every person who commits murder in any place or district under the exclusive jurisdiction of the United States shall suffer death; and Act July 15, 1897,—29 (29 statute 487), provides that, in all cases in which the accused is found guilty of murder under Section 5339, the jury may qualify their verdict by adding thereto "without capital punishment." *Held*, that the latter provision authorized the jury to so limit their verdict in any case, without regard to the existence of mitigating circumstances, and that instructions confining the right to such cases were erroneous. Mr. Justice Brewer and Mr. Justice McKenna dissenting.

CRIMINAL LAW—PRISON DISCIPLINE—RIGHTS OF CONVICTS—EX POST FACTO LAWS.—MURPHY V. COMMONWEALTH, 52 N. E. (Mass.) 505.—A statute (Pub. St. c. 222 § 20) authorized deductions to be made to prisoners convicted of offenses while it was in force for good conduct and permits to be at liberty, on certificate of the prison commissioners. *Held*, the statute was not a mere matter of prison discipline, but a grant to which prisoners were entitled as of right, for faithful observance of the rules, and for not having been subjected to punishment; and this, although the statute allowed the commissioners to revoke the permit without cause shown. And a subsequent statute which in any way interferes with the privilege thus granted is, as to prisoners convicted while the former statute was in force, *ex post facto*, and void.

CRIMINAL PROCEDURE—APPEAL—DISMISSAL—ESCAPE.—PEOPLE V. ELKINS, 55 Pac. 599 (Cal.).—Defendant was convicted of murder and appealed from the